REMARKS

The Applicants respectfully request reconsideration in view of the following remarks and amendments. Claims 1, 2, 5, 9, and 10 are amended. Accordingly, claims 1-12 are pending in the application.

I.   Objections to the Claims

Claims 1-4 are objected to because of informalities.

In regard to the objection to claim 1, this claim is amended to clarify that the parity bit is added to the segmented message. In regard to the objection to claim 2, this claim is amended to replace the phrase "a predetermined length" with "the predetermined length" as suggested by the Examiner. Claims 3 and 4 depend from base claim 1 and overcome the objections for at least the reasons mentioned in connection with claim 1. Therefore, for at least the foregoing reasons, the Applicants respectfully request reconsideration and withdrawal of the objections to claims 1-4.

II.   Claims Rejected Under 35 U.S.C. § 103

Claims 1, 4-6 and 9-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cummings et al. (Pub. No. 2003/0002499) (hereinafter "Cummings"), in view of Westberg (Pat No.: 6,791,982) (hereinafter "Westberg"). To establish a *prima facie* case of obviousness: (1) there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference; (2) there must be a reasonable expectation of success; and (3) the references when combined must teach or suggest all of the claim limitations. See MPEP, § 2142.

In regard to the rejection of independent claim 1, this claim, as amended, includes the limitations of "adding a length of parity bits to payload length information of the corresponding first segmented message." The amendment is supported by the Specification on page 6, lines 18-20. Cummings and Westberg fail to disclose the cited limitation. Instead, Cummings teaches adding identification bits to each of the information segments and parity segments, but fails to disclose "adding a length of parity bits to payload length information," as recited in the claim. See Cummings, paragraph [0091]. Westberg simply teaches transmitting packets over a WAN without mentioning the adding of a length of parity bits to payload length information. See Westberg, column 5, lines 50-60. Therefore, for at least these reasons, Cummings in view of

Westberg fails to teach or suggest each element of claim 1. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 1.

In regard to the rejection of independent claim 5, this claim includes the limitations of "determining whether the received codeword is the last codeword by using payload length information included in the corresponding first codeword." The amendment is supported by the Specification on page 8, lines 10-14. Cummings, on the other hand, teaches that during decoding the information segments, the *identification bits* may also provide a counter that establishes the order in which the information segments and parity segments were originally encoded, but this does not teach "using *payload length information* included in the corresponding *first codeword*" (emphasis added) for "determining whether the received codeword is the last codeword" as recited in amended claim 5. Further, Westberg fails to teach the cited limitations as well. See Westberg, column 5, lines 50-60. Therefore, for at least these reasons, Cummings and Westberg, combined, fail to teach or suggest each element of these claims. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 5.

In regard to dependent claims 4 and 6, these claims overcome the rejection based on Cummings and Westberg for at least the reasons previously mentioned in connection with claims 1 and 5. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 4 and 6.

In regard to the rejection of independent claim 9, this claim recites analogous limitations to those in claim 1. Therefore, for at least the previous reasons in regard to amended claim 1, Cummings and Westberg, combined, fail to teach or suggest each limitation of amended claim 9 as well. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 9.

In regard to the rejection of independent claim 10, this claim recites analogous limitations to those in claim 5. Therefore, for at least the previous reasons in regard to amended claim 5, Cummings and Westberg, combined, fail to teach or suggest each limitation of amended claim 10 as well. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 10.

Claims 2 and 3 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cummings in view of Westberg, as applied to claim 1 above, and further in view of Karr (Pat No.: 6,970,465) (hereinafter "Karr").

In regard to dependent claims 2 and 3, these claims overcome the rejection based on Cummings and Westberg for at least the reasons mentioned in connection with claim 1. Further, Karr fails to teach or suggest the missing limitations. Instead, Karr teaches using Hamming code for correcting single channel error by recomputing the parity checks. See Karr, column 6, lines 60-66. However, Karr fails to mention "adding a length of parity bits to payload length information," as recited in the claim. Therefore, for at least these reasons, Cummings, Westberg, and Karr, combined, fail to teach or suggest each element of claims 2 and 3. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 2 and 3.

Claims 7, 8 and 12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cummings in view of Westberg, as applied to claim 5 above, and further in view of Galand et al. (Pat No.: 6,317,433) (hereinafter "Galand").

In regard to the rejection of dependent claims 7, 8, and 12, these claims overcome the rejection based on Cummings and Westberg for at least the reasons previously mentioned in regard to claims 5 and 10. Further, the Applicants are unable to discern the portion of Galand that discloses the cited limitation discussed in connection with amended claims 5 and 10. Instead, Galand simply teaches removing padding bits during reassembling the PTM packet. See Galand, column 9, lines 1-12. Therefore, for at least these reasons, Cummings, Westberg, and Galand, combined, fail to teach or suggest each element of claims 7, 8, and 12. Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claims 7, 8, and 12.

Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Cummings in view of Westberg, as applied to claim 5 above, and further in view of Petersen et al. (Pat No.: 5802051) (hereinafter "Petersen").

In regard to the rejection of dependent claim 11, this claim overcomes the rejection based on Cummings and Westberg for at least the reasons previously mentioned in regard to claim 10. Further, the Applicants are unable to discern the portion of Petersen that discloses the cited limitation discussed in connection with amended claim 10. Instead, Petersen simply teaches using a padding portion to extend the last segment of the user data packet to reach a length of 16 octets. See Petersen, column 8, lines 1-3. Therefore, for at least these reasons, Cummings, Westberg, and Petersen, combined, fail to teach or suggest each element of claim 11.

Accordingly, the Applicants respectfully request reconsideration and withdrawal of the rejection of claim 11.
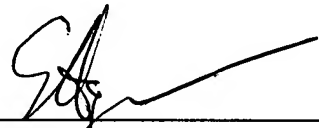
CONCLUSION

In view of the foregoing, it is believed that all claims now pending, namely claims 1-12 patentably define the subject invention over the prior art of record, and are in condition for allowance and such action is earnestly solicited at the earliest possible date. If the Examiner believes that a telephone conference would be useful in moving the application forward to allowance, the Examiner is encouraged to contact the undersigned at (310) 207 3800.

Respectfully submitted,

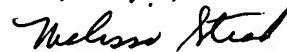BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

Dated: _____7/19_____, 2007

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CERTIFICATE OF MAILING:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on July 19, 2007.

Melissa Stead   7-19-07
Melissa Stead   July 19, 2007